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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,658	02/19/2004	James K. Cavers	01311.001005.1	2181
26875	7590	03/23/2006	EXAMINER	
WOOD, HERRON & EVANS, LLP 2700 CAREW TOWER 441 VINE STREET CINCINNATI, OH 45202			LAUTURE, JOSEPH J	
			ART UNIT	PAPER NUMBER
			2819	

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/780,658

Applicant(s)

CAVERS ET AL.

Examiner

Joseph Lauture

Art Unit

2819

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 36-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 36-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 36-38 are rejected under 35 U.S.C 102(b) as being anticipated by Cavers (US 5,489,875).

Regarding claim 36, Cavers teaches a linearizer (see fig. 4) comprising an adaptation controller (CT3, CT4) with M monitor (input) signals (106, 121) thereto and M control settings outputs therefrom (102, 103 107, 108, 122, 123, 127, 128 and see col. 8 lines 2-9), wherein the adaptation controller first determines M uncorrelated adjustment settings including delay, phase and gain dependent on the M monitor (input) signals and then adjusting the M control setting using the M uncorrelated adjustment settings including delay, gain and phase parameters to reduce distortion and enhance signal intelligibility. Furthermore, according to (see col. 7 lines 60-64), complex gain adjuster can be adjusted independently of each other. Uncorrelated adjustment setting reads on determining

deficiencies with an input signal and independently adjusting the input signals as such to correct phase, delay and gain distortion.

Regarding claim 37, Cavers teaches a linearizer amplifier comprising a signal cancellation circuit in (see col. 7 lines 35-36, col. 8 line 21), a distortion cancellation circuit in (see col. 7 line 37, col. 8 line 22); wherein the signal and distortion cancellation circuits comprises an adaptation controller (CT3, CT4) with M monitor (input) signals (106, 121) thereto and M control settings outputs therefrom (102, 103 107, 108, 122, 123, 127, 128 and see col. 8 lines 2-9), wherein the adaptation controller first determines M uncorrelated adjustment settings including delay, phase and gain dependent on the M monitor (input) signals and then adjusting the M control setting using the M uncorrelated adjustment settings including delay, gain and phase parameters to reduce distortion and enhance signal intelligibility. Furthermore, according to (see col. 7 lines 60-64), complex gain adjuster can be adjusted independently of each other. Uncorrelated adjustment setting reads on determining deficiencies with an input signal and independently adjusting the input signals as such to correct phase, delay and gain distortion.

Regarding claim 38, Cavers teaches a linearizer in (see fig. 4) comprising an adaptation controller (CT3, CT4) with M monitor (input) signals (106, 121) thereto and M control settings outputs therefrom (102, 103 107, 108, 122, 123, 127, 128 and see col. 8 lines 2-9), wherein the adaptation controller first determines M uncorrelated adjustment settings including delay, phase and gain dependent on the M monitor (input) signals and then adjusting the M control setting using the M uncorrelated adjustment settings including delay, gain and phase parameters to reduce distortion and enhance signal intelligibility. Furthermore, according to (see col. 7 lines 60-64), complex gain adjuster can be adjusted independently of each other. Uncorrelated adjustment setting reads on determining deficiencies with an input signal and independently adjusting the input signals as such to correct phase, delay and gain distortion.

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CONTACT INFORMATION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Lauture, whose telephone number is (571) 272-1805. The examiner can normally be reached Monday to Friday between 9:30 am and 6:00 PM

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rexford Barnie can be reached at (571) 272-7492. The fax number for the organization to which this application is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Joseph Lauture
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Date: 03/15/2006

Rexford Barnie
REXFORD BARNIE
SUPERVISORY PRIMARY EXAMINER